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*Mark Rose and Joseph Kupiec*

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

BGC PARTNERS, INC., G&E ACQUISITION  
COMPANY, LLC, and BGC REAL ESTATE OF  
NEVADA, LLC,

vs.

AVISON YOUNG (CANADA) INC., AVISON  
YOUNG (USA) INC., AVISON YOUNG -  
NEVADA, LLC, MARK ROSE, THE NEVADA  
COMMERCIAL GROUP, JOHN PINJUV, and  
JOSEPH KUPIEC, DOES 1 through 5; and ROE  
BUSINESS ENTITIES 6 through 10

CASE NO.: 2:15-cv-00531-RFB-  
GWF

**STIPULATION AND ORDER TO  
CONTINUE HEARING ON  
MOTION TO RECONSIDER THE  
PROTECTIVE ORDER'S  
"HIGHLY CONFIDENTIAL"  
PROVISIONS AND  
CONSOLIDATE SELECTED  
DEPOSITIONS [ECF NO. 123]  
AND MOTION TO SUBSTITUTE  
PARTY [ECF NO. 132]**

**(First Request)**

Gordon Rees Scully Mansukhani, LLP  
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Pursuant to Local Rules 6-1 and 7-1, Plaintiffs BGC Partners Inc., G&E Acquisition Company LLC, and BGC Real Estate of Nevada (“Plaintiffs”), through their counsel of record, and Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young–Nevada LLC, Mark Rose, Joseph Kupiec, John Pinjuv, and The Nevada Commercial Group (“Defendants”), through their counsel of record, hereby stipulate and request that the Court continue the hearing on Plaintiff’s Motion to Reconsider the Protective Order’s “Highly Confidential” Provisions and Consolidate Selected Depositions [ECF No. 123] (“Motion Regarding the Protective Order and Depositions”) and Plaintiff’s Motion to Substitute Party Newmark Group Inc. for BGC Partners Inc. as Plaintiff [ECF No. 132] (“Motion to Substitute”) (together, the “Motions”) as follows:

**STIPULATION**

1. Plaintiffs filed their Motion Regarding the Protective Order and Depositions on February 14, 2018.

2. On February 20, 2018, the Court set a March 12, 2018, hearing on the Motion Regarding the Protective Order and Depositions [2/20/18 Minute Entry].

3. On February 22, 2018, the Court granted the parties’ stipulation setting a briefing schedule on the Motion Regarding the Protective Order and Depositions and resetting the hearing date for 9:30 a.m. on Monday, April 2, 2018 [ECF No. 131].

4. As of March 28, 2018, the Motion Regarding the Protective Order and Depositions will be fully briefed and pending before the Court.

5. Plaintiffs filed their Motion to Substitute on February 23, 2018.

6. The Motion to Substitute is fully briefed and pending before the Court.

7. On March 21, 2018, the Court scheduled a hearing on Plaintiffs’ Motion to Substitute for 9:30 a.m. on Monday, April 2, 2018 [ECF No. 148].

8. Counsel for Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young-Nevada, LLC, Mark Rose, and Joseph Kupiec (collectively, the “AY Defendants”) have a conflict on April 2, 2018 and are unable to attend the hearing on April 2, 2018.

9. Counsel for the AY Defendants has reached out to other counsel in the case about continuing the hearing on the Motions.

10. After discussion, the parties were unable to find a mutually agreeable date prior to May 1, 2018 that could accommodate the attorneys' respective schedules.

11. Counsel for Plaintiffs does not object to continuing the hearing to May 1, 2018, subject to the Court's availability on that date.

12. Accordingly, the parties request that the Court reschedule the hearing on the Motions to May 1, 2018 or such other date on which the Court is available.

13. This stipulation is not made for purposes of delay.

DATED: March 27, 2018

DATED: March 27, 2018

GORDON REES SCULLY MANSUKHANI

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/s/ Robert S. Larsen

/s/ Tina B. Solis

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DATED: March 27, 2018

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*LLC* and *John Pinjuv*

**ORDER**

Having reviewed the foregoing and finding good cause appearing,

IT IS HEREBY ORDERED that the hearing on Plaintiffs Motion Regarding the Protective Order and Depositions [ECF No. 123] and Plaintiffs' Motion to Substitute [ECF No. 132], is continued to the following date and time: May 1, 2018 at 9:30 am in Courtroom 3A.

**IT IS SO ORDERED.**

  
George W. Foley  
United States Magistrate Judge  
DATED: this 28th day of March 2018

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